

Agreement and the Town Agreement shall be in full force and effect.

(b) **APPROVAL OF TOWN AGREEMENT.**—The Secretary shall approve any subsequent amendments made to the Town Agreement after the date of enactment of this Act that are—

- (1) mutually agreed on by the parties to the Town Agreement; and
- (2) consistent with applicable law.

SEC. 8. GENERAL DISCHARGE AND RELEASE OF OBLIGATIONS OF STATE OF CONNECTICUT.

Except as expressly provided in this Act, the State Agreement, or the Town Agreement, this Act shall constitute a general discharge and release of all obligations of the State of Connecticut and the political subdivisions, agencies, departments, officers, or employees of the State of Connecticut arising from any treaty or agreement with, or on behalf of, the Mohegan Tribe or the United States as trustee for the Mohegan Tribe.

SEC. 9. EFFECT OF REVOCATION OF STATE AGREEMENT.

(a) **IN GENERAL.**—If, during the 15-year period beginning on the date on which the Secretary publishes a determination pursuant to section 4(b), the State Agreement is invalidated by a court of competent jurisdiction, or if the gaming compact described in section 4(a)(1) or any agreement between the State of Connecticut and the Mohegan Tribe to implement the compact is invalidated by a court of competent jurisdiction—

(1) the transfers, waivers, releases, relinquishments, and other commitments made by the Mohegan Tribe under section 1(a) of the State Agreement shall cease to be of any force or effect;

(2) section 4 of this Act shall not apply to the lands or interests in lands or natural resources of the Mohegan Tribe or any of its members, and the title to the lands or interests in lands or natural resources shall be determined as if such section were never enacted; and

(3) the approval by the United States of prior transfers and the extinguishment of claims and aboriginal title of the Mohegan Tribe otherwise made under section 4 shall be void.

(b) **RIGHT OF MOHEGAN TRIBE TO REINSTATE CLAIM.**—

(1) **IN GENERAL.**—If a State Agreement or compact or agreement described in subsection (a) is invalidated by a court of competent jurisdiction, the Mohegan Tribe or its members shall have the right to reinstate a claim to lands or interests in lands or natural resources to which the Tribe or members are entitled as a result of the invalidation, within a reasonable time, but not later than the later of—

(A) 180 days after the Mohegan Tribe receives written notice of such determination of an invalidation described in subsection (a); or

(B) if the determination of the invalidation is subject to an appeal, 180 days after the court of last resort enters a judgment.

(2) **DEFENSES.**—Notwithstanding any other provision of law, if a party to an action described in paragraph (1) reinstates the action during the period described in paragraph (1)(B)—

(A) no defense, such as laches, statute of limitations, law of the case, res judicata, or prior disposition may be asserted based on the withdrawal of the action and reinstatement of the action; and

(B) the substance of any discussions leading to the State Agreement may not be admissible in any subsequent litigation, except that, if any such action is reinstated, any defense that would have been available to the State of Connecticut at the time the action was withdrawn—

(i) may be asserted; and

(ii) is not waived by anything in the State Agreement or by subsequent events occurring between the withdrawal action and commencement of the reinstated action.

SEC. 10. JUDICIAL REVIEW.

(a) **JURISDICTION.**—Notwithstanding any other provision of law, during the period beginning on the date of enactment of this Act and ending on the date that is 180 days after such date, the United States District Court for the Southern District of Connecticut shall have exclusive jurisdiction over any action to contest the constitutionality of this Act or the validity of any agreement entered into under the authority of this Act or approved by this Act.

(b) **DEADLINE FOR FILING.**—Effective with the termination of the period specified in subsection (a), no court shall have jurisdiction over any action to contest the constitutionality of this Act or the validity of any agreement entered into under the authority of this Act or approved by this Act, unless such action was filed prior to the date of termination of the period specified in subsection (a).

The SPEAKER pro tempore, Mr. POSHARD, recognized Mr. GEJDENSON and Mr. THOMAS of Wyoming, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. POSHARD, announced that two-thirds of the Members present had voted in the affirmative.

Mr. WALKER objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. POSHARD, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed until Wednesday, October 5, 1994, pursuant to the prior announcement of the Chair.

The point of no quorum was considered as withdrawn.

¶119.73 **PARK SERVICE**

ENTREPRENEURIAL MANAGEMENT

Mr. VENTO moved to suspend the rules and pass the bill (H.R. 4533) to promote entrepreneurial management of National Park Service, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. POSHARD, recognized Mr. VENTO and Mr. THOMAS of Wyoming, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. POSHARD, announced that two-thirds of the Members present had voted in the affirmative.

Mr. WALKER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. POSHARD, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed until Wednesday, October 5, 1994, pursuant to the prior announcement of the Chair.

¶119.74 **RIO PUERCO WATERSHED**

Mr. VENTO moved to suspend the rules and pass the bill of the Senate (S. 1919) to improve water quality within the Rio Puerco watershed and to help restore the ecological health of the Rio Grande through the cooperative identification and implementation of best management practices which are consistent with the ecological, geological, cultural, sociological, and economic conditions in the region; as amended.

The SPEAKER pro tempore, Mr. POSHARD, recognized Mr. VENTO and Mr. THOMAS of Wyoming, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

Mr. WALKER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. POSHARD, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed until Wednesday, October 5, 1994, pursuant to the prior announcement of the Chair.

¶119.75 **CHILD NUTRITION**

Mr. KILDEE moved to suspend the rules and pass the bill of the Senate (S. 1614) to amend the Child Nutrition Act of 1966 and the National Lunch Act to promote healthy eating habits for children and to extend certain authorities contained in such Act through fiscal year 1998, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. POSHARD, recognized Mr. KILDEE and Mr. GOODLING, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. POSHARD, announced that two-thirds of the Members present had voted in the affirmative.

Mr. WALKER objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. POSHARD, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed until Wednesday, October 5, 1994, pursuant to the prior announcement of the Chair.

The point of no quorum was considered as withdrawn.

¶119.76 **U.S.-MEXICO BORDER HEALTH COMMISSION**

Mr. DINGELL moved to suspend the rules and pass the bill of the Senate (S. 1225) to authorize and encourage the President to conclude an agreement with Mexico to establish a United States-Mexico Border Health Commission.

The SPEAKER pro tempore, Mr. POSHARD, recognized Mr. DINGELL